

# EXHIBIT A

## PRESSLEY: ALBERTHA PRESSLEY

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

ALBERTHA BELL PRESSLEY, ) CASE NO.: 4:18-cv-00625-RBH  
)  
PLAINTIFF, )  
)  
-VS- )  
) DEPOSITION OF:  
NATIONAL RAILROAD ) ALBERTHA PRESSLEY  
PASSENGER CORPORATION )  
d/b/a AMTRAK, )  
)  
DEFENDANT.)

Given before Crystal Knappenberger, Court Reporter and  
Notary Public, at the law offices of Millberg Gordon  
Stewart, located at 103 Chase Street in Florence, South  
Carolina, on Wednesday, October 3rd, 2018, commencing  
at 10:56 a.m.

**CERTIFIED  
TRANSCRIPT**

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1 A: Probably, yes.

2 Q: Alright. Well, let's talk about why we are here.  
3 Can you tell me, so you were traveling from  
4 Kingstree to Fort Lauderdale, right?

5 A: Right.

6 Q: Do you remember what time that train left in the  
7 morning?

8 A: That train leaves every morning out of Kingstree  
9 at 3:55 a.m. and it is never on time, hardly, and  
10 it gets me in Fort Lauderdale at 5:55.

11 Q: P.m.?

12 A: Yes.

13 Q: Alright. So, you were traveling to Fort  
14 Lauderdale.

15 A: Train 97.

16 Q: Yes, ma'am. Why were you traveling to Fort  
17 Lauderdale?

18 A: Visiting the kids for Christmas.

19 Q: Okay. Do you have a child that lives there?

20 A: All of my kids and grandkids live there.

21 Q: Oh, all of them?

22 A: All of them.

23 Q: Okay. So, you were traveling to Fort Lauderdale  
24 for the holidays, then?

25 A: Uh-huh.

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1 A: I had my purse.

2 Q: So, other than the suitcase and the purse, were  
3 you traveling with anything else?

4 A: No.

5 Q: Okay. This may sound like a silly question, but  
6 do you remember what kind of shoes you were  
7 wearing that day?

8 A: I think it was my sneakers; I normally wear my  
9 sneakers with me on the train.

10 Q: Okay. So, 3:55 a.m., that's an early train,  
11 right?

12 A: That's the only train going south, yes, I  
13 believe.

14 Q: Right. Did you have any issues getting to the  
15 station and getting on the train or did  
16 everything go as normal?

17 A: As normal.

18 Q: Alright. So, let's I guess fast forward to your  
19 arrival in Fort Lauderdale. Can you just kind of  
20 tell me what happened?

21 A: The train was late arriving there. It had been  
22 raining on and off all the way going. The train  
23 was packed, so finally, when we got to Fort  
24 Lauderdale, we were all -- the lady, the  
25 conductors had already gotten our bags and put

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1 them out on the -- taken them off the train. I  
2 was getting off, just my purse on my shoulder,  
3 and I did have my hand on the rail. But somehow,  
4 the last step was dampy. Then when they lift the  
5 steps down, they were dampy, so I just slipped.  
6 And before I realized it, I'm on the ground and I  
7 start to fall with this hand and my knee. And the  
8 hand were bleeding, so they put a Band-aid on my  
9 hand. And my daughter was there, and she picked  
10 me up and I just -- they offered to take me, did  
11 I want to go to the hospital, and I said no  
12 because I thought I was -- anyway, I was so  
13 shaken more than anything else. And so, by the  
14 time I got to my daughter's house -- my knee -- I  
15 did call right back and report this to Amtrak.  
16 And my knee started bothering me, so a couple  
17 days after that, I just cut my trip short and  
18 came back, went back home.

19 Q: Okay.

20 A: To see my doctor. And he did an X-ray because I  
21 started feeling some pain in my back and my knee  
22 was bothering me.

23 Q: Alright. I'm going to stop you right there  
24 because I want to go back and probably ask some  
25 more questions about the actual fall, okay?

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1 A: Uh-huh.

2 Q: Alright. So, you said that the train was late  
3 getting in?

4 A: Yes, which is not unusual sometimes, yes.

5 Q: Right. Do you know about what time it would have  
6 been?

7 A: Normally we get there between like 5:45. I think  
8 it was pretty close to seven when we got there.

9 Q: Alright. So, the train stops. You said the  
10 conductors had gotten your baggage --

11 A: Gotten all of our bags, was getting off in Fort  
12 Lauderdale. They had already -- they take the  
13 bags off first.

14 Q: Right.

15 A: And then they let us off.

16 Q: Right.

17 A: And there were quite a few people getting off  
18 there and --

19 Q: So, were you in a line of people then getting off  
20 the train?

21 A: A line of people, yes.

22 Q: Okay. How many steps were there? Do you remember?

23 A: It's three steps getting off.

24 Q: Alright. And you said that you had your purse in  
25 your --

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1 A: It's a shoulder, I had it on my shoulder, yes.

2 Q: Alright. And so, your hands were free?

3 A: Yes, because I was holding onto the rail.

4 Q: Okay.

5 A: And as I had to release the hand, it -- they do  
6 have -- if you need some help, they will hold  
7 your hand, they will help you off.

8 Q: Right.

9 A: But before I could get my hand to theirs, it's  
10 like I'm ending -- somehow, I fall -- fell.

11 Q: Okay. So, are there two rails or just one?

12 A: Two.

13 Q: Okay. Were you holding both of them or just one?

14 A: Yes. Yes, I was holding both, which I always do.

15 Q: Okay. So, I don't want you to guess, but if you  
16 remember, do you remember which foot slipped?

17 A: It was the right foot.

18 Q: Your right foot slipped. Do you remember on which  
19 step?

20 A: The last, the last step. And -- the last one. I  
21 missed the last one, so I slipped off the second  
22 one off to the last one. And that's when I just  
23 fell on the ground.

24 Q: Okay. So, I think you said you slipped off the  
25 second one?

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1 A: I slipped off the second one getting to the third  
2 one.

3 Q: Okay. So, you slipped on the second step and then  
4 got down to the third step but kind of fell?

5 A: Uh-huh.

6 Q: Is that right?

7 A: Yes.

8 Q: And did you fall onto the stairs?

9 A: No, it's -- where they put us off, it's a  
10 concrete driveway, side, they don't put us off  
11 right at the station. It's a concrete driveway  
12 like thing.

13 Q: Platform?

14 A: Platform, yes.

15 Q: Right. Are there any markings or anything like  
16 that on the platform where you could see kind of,  
17 I've never, never been to that station. Are there  
18 some of them have like different, like you could  
19 be at Platform One or Two or Three or Four or  
20 whatever.

21 A: No, no, not there. Not at that particular one.

22 Q: Okay. Let me back up. So, when the train stopped,  
23 did you have to go the front or the rear of the  
24 train to exit? Do you remember?

25 A: To the rear.

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1 Q: Okay. So, you exited to the rear?

2 A: Right.

3 Q: And the conductor had already you said gotten the  
4 bags off the train?

5 A: Right, because they get all of our bags and they  
6 put them up there to the front.

7 Q: They get off before you, right?

8 A: Right, and they take all the bags and put them  
9 outside before we get off.

10 Q: Right. And they are there to help you get off the  
11 train, right?

12 A: Right.

13 Q: Was he there like he usually is?

14 A: Yes, yes, I remember because it was a young lady  
15 that day.

16 Q: He, I'm sorry. She maybe.

17 A: Yes.

18 Q: Okay. So, somebody was there helping people get  
19 off?

20 A: Uh-huh.

21 Q: Did you need help getting off the train?

22 A: Not really but I always do if they want to. I  
23 always do hand my hand, you know.

24 Q: Yes. And did she do that on this occasion?

25 A: She does, and she does but before I connected

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1 with her hand, I had slipped.

2 Q: Your foot had slipped before?

3 A: Right, right.

4 Q: Okay. On the second step?

5 A: Uh-huh.

6 Q: And you just fell forward onto the platform,

7 right?

8 A: Right.

9 Q: Okay. So, why was the step, do you know why the  
10 step was wet?

11 A: It had rained all the while during the trip going  
12 down. And every time they stop and let the step  
13 down, and they stop quite frequently before I get  
14 to Fort Lauderdale, so.

15 Q: Right. So, that's what caused you to fall?

16 A: That's the only thing I can think.

17 Q: I guess here's what I'm getting at. I want to  
18 make sure that I understand exactly what you're  
19 saying happened and I think I do. But I want to  
20 make sure that there's nothing else that you're  
21 saying happened. For instance, you're not saying  
22 that there was something wrong with the steps,  
23 are you?

24 A: No, I'm not saying anything is wrong with the  
25 steps.

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1 Q: Okay. And you're not saying there was anything  
2 wrong with the platform, right?

3 A: No, I'm not saying anything is wrong with the  
4 step, I just lost my -- I just slipped. And the  
5 bottom of the sneakers are rubbery like and so  
6 somehow I just slipped.

7 Q: Did you just lose your footing?

8 A: I just slipped.

9 Q: Okay. Did you know that the steps were wet?

10 A: Well, I didn't notice that they were wet, but I  
11 you know, they were wettish, not sopping wet. It  
12 was dampy because they was wet.

13 Q: Was it raining when you got off the train?

14 A: It was, it was drizzling still.

15 Q: Okay. So, it was raining when you got off?

16 A: Yes, it was just drizzling, yes.

17 Q: Alright. So, if it was drizzling when you got  
18 off, you knew the step would be wet, right.

19 A: Yes.

20 Q: What were you looking at when you got off the  
21 step? Were you looking at the conductor trying to  
22 give you her hand or can you tell me where your  
23 eyes were looking?

24 A: I was looking to -- I was looking at her. I  
25 remember it's an elderly lady was ahead of me and

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1 Q: Right. What do you think should have happened  
2 then? Did you think you slipping was Amtrak's  
3 fault somehow?

4 A: I don't -- I don't know whose fault it is, you  
5 know. The weather was rainy. I didn't  
6 deliberately fall. I didn't deliberately push  
7 myself and fall.

8 Q: Yes, ma'am.

9 A: I didn't deliberately push myself and they didn't  
10 deliberately not know the steps were wet because  
11 they -- on and off, quite often with that  
12 stopping and going and stopping and going, so  
13 it's just happening, you know. It just was -- it  
14 wasn't my --

15 Q: It was an accident, right?

16 A: It was an accident, an accident.

17 Q: Right. So, do you think then that your fall was  
18 Amtrak's fault?

19 MR. MCCULLOUGH: Object to the form. You can  
20 answer the question.

21 Q: Yes.

22 A: Is this is a trick question?

23 Q: No, ma'am. It's a straightforward question. Do  
24 you not understand it?

25 A: What -- what did you -- how did you ask me? Do I

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1 think it's Amtrak fault?

2 Q: Yes, ma'am.

3 A: I got hurt on public transportation.

4 Q: Yes, ma'am.

5 A: So, therefore, in a way, I do because I got hurt

6 on public transportation. Not that I deliberately

7 or planned this.

8 Q: Right.

9 A: Yes.

10 Q: Well, I don't think you meant to fall, that's not  
11 what I'm saying.

12 A: And no, and you want me to say that no, this is  
13 not Amtrak fault and it's all my fault but not --  
14 it -- you know.

15 Q: Well, I just --

16 A: Yes.

17 Q: I guess I just want you to answer, I don't want  
18 you --

19 A: -- I think this could be a tricky question  
20 because I don't think -- I know I'm not trying to  
21 say it's all Amtrak's fault and it's -- it's all  
22 my fault because I was clumsy. I wasn't clumsy. I  
23 do what I always do when I get off that train, I  
24 watch my steps, I make sure that I don't fall.

25 Q: Right.

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1 faults, let's say that, then.

2 Q: Okay. There's no right answer I'm looking for --

3 A: No, you're not?

4 Q: I'm just looking for your answer.

5 A: No.

6 Q: So, is your testimony today that it --

7 A: It was my -- is it my fault that that train was  
8 late in the first place and we were all so tired  
9 and just wanted to get off. And so, when the  
10 train stopped and because it had been raining,  
11 oh, I just want -- you know, and I got off.  
12 That's just what happened.

13 Q: Okay. I understand what happened and I understand  
14 that this may seem tedious and frustrating, but  
15 you understand that you sued Amtrak saying that  
16 this accident was their fault, right?

17 A: Yes.

18 Q: Okay. So, I'm here to ask you questions about  
19 that. That makes sense to you, doesn't it?

20 A: Uh-huh.

21 Q: Okay. And I'm trying to ask you now directly why  
22 you think that or if you think that.

23 A: Because that should be some kind of -- okay. When  
24 a person gets hurt in any kind of public  
25 transportation or anything, there should be

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1 something to cover the passengers.

2 Q: Okay. So, you think because you were a passenger

3 and you got hurt that it's Amtrak's fault?

4 A: Right.

5 Q: Did Amtrak do anything wrong?

6 MR. MCCULLOUGH: Object to the form.

7 Q: Do you understand what I'm asking you?

8 A: They didn't push me off the train, no.

9 Q: I know nobody pushed you or nobody tried to hurt  
10 you, I understand that. I'm asking you if you  
11 think they did anything wrong.

12 A: Well, you know, maybe they should have wiped some  
13 water off the step or something before we all  
14 started getting off or something.

15 Q: Do you know if that happened or not?

16 A: Well, no. Because it was quite a few of us  
17 getting off. And I wasn't the first one to get  
18 off the train.

19 Q: So, you don't know if somebody, if the conductor  
20 did do that or not?

21 A: No, I don't.

22 Q: Okay. I want to go back to something you just  
23 said because I want to make sure I understand  
24 what you're saying, okay? You said maybe it's  
25 both our faults. Is that what you said?

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1 A: Yes.

2 Q: Okay. I want to make sure I understand. You're  
3 not saying in this lawsuit that the Amtrak  
4 employee outside did something wrong, are you?

5 MR. MCCULLOUGH: Object to the form.

6 A: No, I'm not.

7 Q: Okay. You're not saying that any Amtrak employee  
8 did anything wrong, are you?

9 MR. MCCULLOUGH: Object to the form.

10 A: No, I'm not.

11 Q: Alright. You're not saying that there was  
12 something wrong with the lighting out there or  
13 anything like that, right?

14 A: No, I'm not.

15 Q: Okay. I feel like, forgive me if I'm repeating  
16 myself a bit, but other than the doctors that  
17 we've talked about today, do you remember any  
18 other doctors that you've ever been to in your  
19 life? You know, obviously, excluding your  
20 childhood years? As an adult.

21 A: No.

22 Q: Okay. Tell me a little bit about, you mentioned  
23 that you have, that you're active and that you  
24 have hobbies. Tell me about a little bit about  
25 those things.